

FIRST REGULAR SESSION

# HOUSE BILL NO. 859

## 97TH GENERAL ASSEMBLY

---

INTRODUCED BY REPRESENTATIVES BRATTIN (Sponsor), MCCAHERTY, BURLISON, BAHR,  
ROSS, RHOADS, HAAHR, KELLEY (127), ANDERSON, HOUGHTON, FREDERICK, SOLON,  
GUERNSEY AND HICKS (Co-sponsors).

2043L.01I

D. ADAM CRUMBLISS, Chief Clerk

---

### AN ACT

To repeal sections 43.530, 50.535, 571.030. 571.101, 571.102, 571.104, 571.107, 571.111,  
571.114, 571.117, and 571.121, RSMo, and to enact in lieu thereof thirteen new sections  
relating to concealed carry permits, with penalty provisions.

---

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 43.530, 50.535, 571.030. 571.101, 571.102, 571.104, 571.107,  
2 571.111, 571.114, 571.117, and 571.121, RSMo, are repealed and thirteen new sections enacted  
3 in lieu thereof, to be known as sections 43.530, 50.535, 571.030, 571.180, 571.182, 571.184,  
4 571.186, 571.188, 571.190, 571.192, 571.194, 571.196, and 571.198, to read as follows:

43.530. 1. For each request requiring the payment of a fee received by the central  
2 repository, the requesting entity shall pay a fee of not more than nine dollars per request for  
3 criminal history record information not based on a fingerprint search. In each year beginning on  
4 or after January 1, 2010, the superintendent may increase the fee paid by requesting entities by  
5 an amount not to exceed one dollar per year, however, under no circumstance shall the fee paid  
6 by requesting entities exceed fifteen dollars per request.

7 2. For each request requiring the payment of a fee received by the central repository, the  
8 requesting entity shall pay a fee of not more than twenty dollars per request for criminal history  
9 record information based on a fingerprint search, unless the request is required under the  
10 provisions of subdivision (6) of section 210.481, section 210.487, [or] section 571.101, **or**  
11 **section 571.182**, in which case the fee shall be fourteen dollars.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended  
to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

12           3. A request made under subsections 1 and 2 of this section shall be limited to check and  
13 search on one individual. Each request shall be accompanied by a check, warrant, voucher,  
14 money order, or electronic payment payable to the state of Missouri-criminal record system or  
15 payment shall be made in a manner approved by the highway patrol. The highway patrol may  
16 establish procedures for receiving requests for criminal history record information for  
17 classification and search for fingerprints, from courts and other entities, and for the payment of  
18 such requests. There is hereby established by the treasurer of the state of Missouri a fund to be  
19 entitled as the "Criminal Record System Fund". Notwithstanding the provisions of section  
20 33.080 to the contrary, if the moneys collected and deposited into this fund are not totally  
21 expended annually for the purposes set forth in sections 43.500 to 43.543, the unexpended  
22 moneys in such fund shall remain in the fund and the balance shall be kept in the fund to  
23 accumulate from year to year.

          50.535. 1. Notwithstanding the provisions of sections 50.525 to 50.745, the fee collected  
2 pursuant to subsections 10 and 11 of section 571.101 **or the fee collected under subsections**  
3 **10 and 11 of section 571.182** shall be deposited by the county treasurer into a separate  
4 interest-bearing fund to be known as the "County Sheriff's Revolving Fund" to be expended at  
5 the direction of the county or city sheriff or his or her designee as provided in this section.

6           2. No prior approval of the expenditures from this fund shall be required by the  
7 governing body of the county or city not within a county, nor shall any prior audit or  
8 encumbrance of the fund be required before any expenditure is made by the sheriff from this  
9 fund. This fund shall only be used by law enforcement agencies for the purchase of equipment,  
10 to provide training, and to make necessary expenditures to process applications for concealed  
11 carry endorsements or renewals **or to process applications for concealed carry permits or**  
12 **conversions or renewals**, including but not limited to the purchase of equipment, information  
13 and data exchange, training, fingerprinting and background checks, employment of additional  
14 personnel, and any expenditure necessitated by an action under section 571.114 or 571.117 **or**  
15 **under section 571.190 or 571.192**. If the moneys collected and deposited into this fund are not  
16 totally expended annually, then the unexpended balance shall remain in said fund and the balance  
17 shall be kept in said fund to accumulate from year to year. This fund may be audited by the state  
18 auditor's office or the appropriate auditing agency.

19           3. Notwithstanding any provision of this section to the contrary, the sheriff of every  
20 county, regardless of classification, is authorized to pay, from the sheriff's revolving fund, all  
21 reasonable and necessary costs and expenses for activities or services occasioned by compliance  
22 with sections 571.101 to 571.121 **or sections 571.180 to 571.198**. Such was the intent of the  
23 general assembly in original enactment of this section and sections 571.101 to 571.121 **and**  
24 **sections 571.180 to 571.198**, and it is made express by this section in light of the decision in

25 Brooks v. State of Missouri, (Mo. Sup. Ct. February 26, 2004). The application and renewal fees  
26 to be charged pursuant to section 571.101 **or 571.182** shall be based on the sheriff's good faith  
27 estimate, made during regular budgeting cycles, of the actual costs and expenses to be incurred  
28 by reason of compliance with sections 571.101 to 571.121 **and sections 571.180 to 571.198**.  
29 If the maximum fee permitted by section 571.101 **or 571.182** is inadequate to cover the actual  
30 reasonable and necessary expenses in a given year, and there are not sufficient accumulated  
31 unexpended funds in the revolving fund, a sheriff may present specific and verified evidence of  
32 the unreimbursed expenses to the office of administration, which upon certification by the  
33 attorney general shall reimburse such sheriff for those expenses from an appropriation made for  
34 that purpose.

35 4. If pursuant to subsection 12 of section 571.101 **or under subsection 12 of section**  
36 **571.182**, the sheriff of a county of the first classification designates one or more chiefs of police  
37 of any town, city, or municipality within such county to accept and process applications for  
38 certificates of qualification to obtain a concealed carry endorsement **or applications for**  
39 **concealed carry permits**, then that sheriff shall reimburse such chiefs of police, out of the  
40 moneys deposited into this fund, for any reasonable expenses related to accepting and processing  
41 such applications.

571.030. 1. A person commits the crime of unlawful use of weapons if he or she  
2 knowingly:

3 (1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or  
4 any other weapon readily capable of lethal use; or

5 (2) Sets a spring gun; or

6 (3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft,  
7 or motor vehicle as defined in section 302.010, or any building or structure used for the  
8 assembling of people; or

9 (4) Exhibits, in the presence of one or more persons, any weapon readily capable of  
10 lethal use in an angry or threatening manner; or

11 (5) Has a firearm or projectile weapon readily capable of lethal use on his or her person,  
12 while he or she is intoxicated, and handles or otherwise uses such firearm or projectile weapon  
13 in either a negligent or unlawful manner or discharges such firearm or projectile weapon unless  
14 acting in self-defense; **or**

15 (6) Discharges a firearm within one hundred yards of any occupied schoolhouse,  
16 courthouse, or church building; or

17 (7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or  
18 across a public highway or discharges or shoots a firearm into any outbuilding; or

19 (8) Carries a firearm or any other weapon readily capable of lethal use into any church  
20 or place where people have assembled for worship, or into any election precinct on any election  
21 day, or into any building owned or occupied by any agency of the federal government, state  
22 government, or political subdivision thereof; or

23 (9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section  
24 301.010, discharges or shoots a firearm at any person, or at any other motor vehicle, or at any  
25 building or habitable structure, unless the person was lawfully acting in self-defense; or

26 (10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable  
27 of lethal use into any school, onto any school bus, or onto the premises of any function or activity  
28 sponsored or sanctioned by school officials or the district school board.

29 2. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to the  
30 persons described in this subsection, regardless of whether such uses are reasonably associated  
31 with or are necessary to the fulfillment of such person's official duties except as otherwise  
32 provided in this subsection. Subdivisions (3), (4), (6), (7), and (9) of subsection 1 of this section  
33 shall not apply to or affect any of the following persons, when such uses are reasonably  
34 associated with or are necessary to the fulfillment of such person's official duties, except as  
35 otherwise provided in this subsection:

36 (1) All state, county and municipal peace officers who have completed the training  
37 required by the police officer standards and training commission pursuant to sections 590.030  
38 to 590.050 and who possess the duty and power of arrest for violation of the general criminal  
39 laws of the state or for violation of ordinances of counties or municipalities of the state, whether  
40 such officers are on or off duty, and whether such officers are within or outside of the law  
41 enforcement agency's jurisdiction, or all qualified retired peace officers, as defined in subsection  
42 11 of this section, and who carry the identification defined in subsection 12 of this section, or  
43 any person summoned by such officers to assist in making arrests or preserving the peace while  
44 actually engaged in assisting such officer;

45 (2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other  
46 institutions for the detention of persons accused or convicted of crime;

47 (3) Members of the Armed Forces or National Guard while performing their official  
48 duty;

49 (4) Those persons vested by article V, section 1 of the Constitution of Missouri with the  
50 judicial power of the state and those persons vested by Article III of the Constitution of the  
51 United States with the judicial power of the United States, the members of the federal judiciary;

52 (5) Any person whose bona fide duty is to execute process, civil or criminal;

53 (6) Any federal probation officer or federal flight deck officer as defined under the  
54 federal flight deck officer program, 49 U.S.C. Section 44921 regardless of whether such officers  
55 are on duty, or within the law enforcement agency's jurisdiction;

56 (7) Any state probation or parole officer, including supervisors and members of the  
57 board of probation and parole;

58 (8) Any corporate security advisor meeting the definition and fulfilling the requirements  
59 of the regulations established by the board of police commissioners under section 84.340;

60 (9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner;

61 (10) Any prosecuting attorney or assistant prosecuting attorney or any circuit attorney  
62 or assistant circuit attorney who has completed the firearms safety training course required under  
63 subsection 2 of section 571.111 **or under subsection 2 of section 571.188**; and

64 (11) Any member of a fire department or fire protection district who is employed on a  
65 full-time basis as a fire investigator and who has a valid concealed carry endorsement under  
66 [section 571.111] **sections 571.101 to 571.121 or a valid concealed carry permit under**  
67 **sections 571.180 to 571.198** when such uses are reasonably associated with or are necessary to  
68 the fulfillment of such person's official duties.

69 3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when  
70 the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when  
71 ammunition is not readily accessible or when such weapons are not readily accessible.  
72 Subdivision (1) of subsection 1 of this section does not apply to any person twenty-one years of  
73 age or older or eighteen years of age or older and a member of the United States Armed Forces,  
74 or honorably discharged from the United States Armed Forces, transporting a concealable  
75 firearm in the passenger compartment of a motor vehicle, so long as such concealable firearm  
76 is otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm  
77 or projectile weapon for the lawful pursuit of game, or is in his or her dwelling unit or upon  
78 premises over which the actor has possession, authority or control, or is traveling in a continuous  
79 journey peaceably through this state. Subdivision (10) of subsection 1 of this section does not  
80 apply if the firearm is otherwise lawfully possessed by a person while traversing school premises  
81 for the purposes of transporting a student to or from school, or possessed by an adult for the  
82 purposes of facilitation of a school-sanctioned firearm-related event or club event.

83 4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any  
84 person who has a valid concealed carry endorsement issued pursuant to sections 571.101 to  
85 571.121, **a valid concealed carry permit issued under sections 571.180 to 571.198**, or a valid  
86 permit or endorsement to carry concealed firearms issued by another state or political subdivision  
87 of another state.

88           5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section shall  
89 not apply to persons who are engaged in a lawful act of defense pursuant to section 563.031.

90           6. Nothing in this section shall make it unlawful for a student to actually participate in  
91 school-sanctioned gun safety courses, student military or ROTC courses, or other  
92 school-sponsored or club-sponsored firearm-related events, provided the student does not carry  
93 a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or  
94 onto the premises of any other function or activity sponsored or sanctioned by school officials  
95 or the district school board.

96           7. Unlawful use of weapons is a class D felony unless committed pursuant to subdivision  
97 (6), (7), or (8) of subsection 1 of this section, in which cases it is a class B misdemeanor, or  
98 subdivision (5) or (10) of subsection 1 of this section, in which case it is a class A misdemeanor  
99 if the firearm is unloaded and a class D felony if the firearm is loaded, or subdivision (9) of  
100 subsection 1 of this section, in which case it is a class B felony, except that if the violation of  
101 subdivision (9) of subsection 1 of this section results in injury or death to another person, it is  
102 a class A felony.

103           8. Violations of subdivision (9) of subsection 1 of this section shall be punished as  
104 follows:

105           (1) For the first violation a person shall be sentenced to the maximum authorized term  
106 of imprisonment for a class B felony;

107           (2) For any violation by a prior offender as defined in section 558.016, a person shall be  
108 sentenced to the maximum authorized term of imprisonment for a class B felony without the  
109 possibility of parole, probation or conditional release for a term of ten years;

110           (3) For any violation by a persistent offender as defined in section 558.016, a person  
111 shall be sentenced to the maximum authorized term of imprisonment for a class B felony without  
112 the possibility of parole, probation, or conditional release;

113           (4) For any violation which results in injury or death to another person, a person shall  
114 be sentenced to an authorized disposition for a class A felony.

115           9. Any person knowingly aiding or abetting any other person in the violation of  
116 subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that  
117 prescribed by this section for violations by other persons.

118           10. Notwithstanding any other provision of law, no person who pleads guilty to or is  
119 found guilty of a felony violation of subsection 1 of this section shall receive a suspended  
120 imposition of sentence if such person has previously received a suspended imposition of sentence  
121 for any other firearms- or weapons-related felony offense.

122           11. As used in this section "qualified retired peace officer" means an individual who:

(1) Retired in good standing from service with a public agency as a peace officer, other than for reasons of mental instability;

(2) Before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;

(3) Before such retirement, was regularly employed as a peace officer for an aggregate of fifteen years or more, or retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;

(4) Has a nonforfeitable right to benefits under the retirement plan of the agency if such a plan is available;

(5) During the most recent twelve-month period, has met, at the expense of the individual, the standards for training and qualification for active peace officers to carry firearms;

(6) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and

(7) Is not prohibited by federal law from receiving a firearm.

12. The identification required by subdivision (1) of subsection 2 of this section is:

(1) A photographic identification issued by the agency from which the individual retired from service as a peace officer that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the agency to meet the standards established by the agency for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm; or

(2) A photographic identification issued by the agency from which the individual retired from service as a peace officer; and

(3) A certification issued by the state in which the individual resides that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the state to meet the standards established by the state for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm.

**571.180. 1. Notwithstanding the provisions of sections 571.101 to 571.121 all certificates of qualification for concealed carry endorsements and all concealed carry endorsements shall become invalid on February 1, 2014.**

**2. Between January 1, 2014, and February 1, 2014, any person who has a valid certificate of qualification for a concealed carry endorsement or a valid concealed carry endorsement may present their certificate of qualification for a concealed carry endorsement or their driver's or nondriver's licence with a concealed carry endorsement**

8 to the sheriff in the county in which they reside to have it converted to a concealed carry  
9 permit. Upon receipt of a valid certificate of qualification for a concealed carry  
10 endorsement or a driver's or nondriver's licence with a valid concealed carry endorsement,  
11 which has not been suspended or revoked, the sheriff shall automatically issue a concealed  
12 carry permit to such person, upon payment of a concealed carry conversion fee as provided  
13 for under section 571.182.

14 3. Notwithstanding the provisions of sections 571.101 to 571.121 on or after  
15 January 1, 2014, a sheriff shall not accept an application for or renew a certificate of  
16 qualification for a concealed carry endorsement and the department of revenue shall not  
17 accept an application for or issue or renew a driver's or nondriver's license with a  
18 concealed carry endorsement.

19 4. Notwithstanding the provisions of sections 571.101 to 571.121 a concealed carry  
20 endorsement which expires or is suspended or revoked between January 1, 2014, and  
21 February 1, 2014, shall not be renewed or reinstated.

571.182. 1. All applicants for concealed carry permits issued under subsection 7  
2 of this section must satisfy the requirements of sections 571.180 to 571.198. If the said  
3 applicant can show qualification as provided by sections 571.180 to 571.198, the county or  
4 city sheriff shall issue a concealed carry permit by completing a concealed carry permit  
5 form which shall be developed by the Missouri state highway patrol under the provisions  
6 of section 571.196. Any person who has been issued a concealed carry permit and such  
7 permit has not been suspended, revoked, cancelled, or denied may carry concealed  
8 firearms on or about his or her person or within a vehicle. A concealed carry permit shall  
9 be valid for a period of three years from the date of issuance or renewal. The concealed  
10 carry permit is valid throughout this state.

11 2. A concealed carry permit issued under subsection 7 of this section shall be issued  
12 by the sheriff or his or her designee of the county or city in which the applicant resides, if  
13 the applicant:

14 (1) Is at least twenty-one years of age, is a citizen of the United States and either:

15 (a) Has assumed residency in this state; or

16 (b) Is a member of the Armed Forces stationed in Missouri, or the spouse of such  
17 member of the military;

18 (2) Is at least twenty-one years of age, or is at least eighteen years of age and a  
19 member of the United States Armed Forces or honorably discharged from the United  
20 States Armed Forces, and is a citizen of the United States and either:

21 (a) Has assumed residency in this state;

22 (b) Is a member of the Armed Forces stationed in Missouri; or



23           (c) The spouse of such member of the military stationed in Missouri and twenty-one  
24 years of age;

25           (3) Has not pled guilty to or entered a plea of nolo contendere or been convicted of  
26 a crime punishable by imprisonment for a term exceeding one year under the laws of any  
27 state or of the United States other than a crime classified as a misdemeanor under the laws  
28 of any state and punishable by a term of imprisonment of one year or less that does not  
29 involve an explosive weapon, firearm, firearm silencer or gas gun;

30           (4) Has not been convicted of, pled guilty to or entered a plea of nolo contendere  
31 to one or more misdemeanor offenses involving crimes of violence within a five-year period  
32 immediately preceding application for a certificate of qualification for a concealed carry  
33 endorsement or if the applicant has not been convicted of two or more misdemeanor  
34 offenses involving driving while under the influence of intoxicating liquor or drugs or the  
35 possession or abuse of a controlled substance within a five-year period immediately  
36 preceding application for a certificate of qualification for a concealed carry endorsement;

37           (5) Is not a fugitive from justice or currently charged in an information or  
38 indictment with the commission of a crime punishable by imprisonment for a term  
39 exceeding one year under the laws of any state of the United States other than a crime  
40 classified as a misdemeanor under the laws of any state and punishable by a term of  
41 imprisonment of two years or less that does not involve an explosive weapon, firearm,  
42 firearm silencer, or gas gun;

43           (6) Has not been discharged under dishonorable conditions from the United States  
44 Armed Forces;

45           (7) Has not engaged in a pattern of behavior, documented in public records, that  
46 causes the sheriff to have a reasonable belief that the applicant presents a danger to  
47 himself, herself, or others;

48           (8) Is not adjudged mentally incompetent at the time of application or for five years  
49 prior to application, or has not been committed to a mental health facility, as defined in  
50 section 632.005, or a similar institution located in another state following a hearing at  
51 which the defendant was represented by counsel or a representative;

52           (9) Submits a completed application for a concealed carry permit as described in  
53 subsection 3 of this section;

54           (10) Submits an affidavit attesting that the applicant complies with the concealed  
55 carry safety training requirement under subsections 1 and 2 of section 571.188;

56           (11) Is not the respondent of a valid full order of protection which is still in effect.

57           3. The application for a concealed carry permit issued by the sheriff of the county  
58 of the applicant's residence shall contain only the following information:

- 59           (1) The applicant's name, address, telephone number, gender, and date and place  
60 of birth;
- 61           (2) An affirmation that the applicant has assumed residency in Missouri or is a  
62 member of the Armed Forces stationed in Missouri or the spouse of such a member of the  
63 Armed Forces and is a citizen of the United States;
- 64           (3) An affirmation that the applicant is at least twenty-one years of age or is  
65 eighteen years of age or older and a member of the United States Armed Forces or  
66 honorably discharged from the United States Armed Forces;
- 67           (4) An affirmation that the applicant has not pled guilty to or been convicted of a  
68 crime punishable by imprisonment for a term exceeding one year under the laws of any  
69 state or of the United States other than a crime classified as a misdemeanor under the laws  
70 of any state and punishable by a term of imprisonment of one year or less that does not  
71 involve an explosive weapon, firearm, firearm silencer, or gas gun;
- 72           (5) An affirmation that the applicant has not been convicted of, pled guilty to, or  
73 entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes  
74 of violence within a five-year period immediately preceding application for a certificate of  
75 qualification to obtain a concealed carry endorsement or if the applicant has not been  
76 convicted of two or more misdemeanor offenses involving driving while under the influence  
77 of intoxicating liquor or drugs or the possession or abuse of a controlled substance within  
78 a five-year period immediately preceding application for a certificate of qualification to  
79 obtain a concealed carry endorsement;
- 80           (6) An affirmation that the applicant is not a fugitive from justice or currently  
81 charged in an information or indictment with the commission of a crime punishable by  
82 imprisonment for a term exceeding one year under the laws of any state or of the United  
83 States other than a crime classified as a misdemeanor under the laws of any state and  
84 punishable by a term of imprisonment of two years or less that does not involve an  
85 explosive weapon, firearm, firearm silencer or gas gun;
- 86           (7) An affirmation that the applicant has not been discharged under dishonorable  
87 conditions from the United States Armed Forces;
- 88           (8) An affirmation that the applicant is not adjudged mentally incompetent at the  
89 time of application or for five years prior to application, or has not been committed to a  
90 mental health facility, as defined in section 632.005, or a similar institution located in  
91 another state, except that a person whose release or discharge from a facility in this state  
92 under chapter 632, or a similar discharge from a facility in another state, occurred more  
93 than five years ago without subsequent recommitment may apply;

94           **(9) An affirmation that the applicant has received firearms safety training that**  
95 **meets the standards of applicant firearms safety training defined in subsection 1 or 2 of**  
96 **section 571.188;**

97           **(10) An affirmation that the applicant, to the applicant's best knowledge and belief,**  
98 **is not the respondent of a valid full order of protection which is still in effect; and**

99           **(11) A conspicuous warning that false statements made by the applicant will result**  
100 **in prosecution for perjury under the laws of the state of Missouri.**

101           **4. An application for a concealed carry permit shall be made to the sheriff of the**  
102 **county or any city not within a county in which the applicant resides. An application shall**  
103 **be filed in writing, signed under oath and under the penalties of perjury, and shall state**  
104 **whether the applicant complies with each of the requirements specified in subsection 2 of**  
105 **this section. In addition to the completed application, the applicant for a concealed carry**  
106 **permit must also submit the following:**

107           **(1) A photocopy of a firearms safety training certificate of completion or other**  
108 **evidence of completion of a firearms safety training course that meets the standards**  
109 **established in subsection 1 or 2 of section 571.188; and**

110           **(2) A nonrefundable concealed carry permit fee as provided by subsection 10 or 11**  
111 **of this section.**

112           **5. Before an application for a concealed carry permit is approved, the sheriff shall**  
113 **make only such inquiries as he or she deems necessary into the accuracy of the statements**  
114 **made in the application. The sheriff may require that the applicant display a Missouri**  
115 **driver's license or nondriver's license or military identification and orders showing the**  
116 **person being stationed in Missouri. In order to determine the applicant's suitability for**  
117 **a concealed carry permit, the applicant shall be fingerprinted. The sheriff shall request**  
118 **a criminal background check through the appropriate law enforcement agency within**  
119 **three working days after submission of the properly completed application for a concealed**  
120 **carry permit. If no disqualifying record is identified by the fingerprint check at the state**  
121 **level, the fingerprints shall be forwarded to the Federal Bureau of Investigation for a**  
122 **national criminal history record check. Upon receipt of the completed background check,**  
123 **the sheriff shall issue a concealed carry permit within three working days. The sheriff**  
124 **shall issue the permit within forty-five calendar days if the criminal background check has**  
125 **not been received, provided that the sheriff shall revoke any such permit within**  
126 **twenty-four hours of receipt of any background check that results in a disqualifying**  
127 **record.**

128           **6. The sheriff may refuse to approve an application for a concealed carry permit**  
129 **if he or she determines that any of the requirements specified in subsection 2 of this section**

130 have not been met, or if he or she has a substantial and demonstrable reason to believe that  
131 the applicant has rendered a false statement regarding any of the provisions of sections  
132 571.180 to 571.198. If the applicant is found to be ineligible, the sheriff is required to deny  
133 the application, and notify the applicant in writing, stating the grounds for denial and  
134 informing the applicant of the right to submit, within thirty days, any additional  
135 documentation relating to the grounds of the denial. Upon receiving any additional  
136 documentation, the sheriff shall reconsider his or her decision and inform the applicant  
137 within thirty days of the result of the reconsideration. The applicant shall further be  
138 informed in writing of the right to appeal the denial under subsections 2, 3, 4, and 5 of  
139 section 571.190. After two additional reviews and denials by the sheriff, the person  
140 submitting the application shall appeal the denial pursuant to subsections 2, 3, 4, and 5 of  
141 section 571.190.

142 7. If the application is approved, the sheriff shall issue a concealed carry permit to  
143 the applicant within a period not to exceed three working days after his or her approval  
144 of the application. The applicant shall sign the permit in the presence of the sheriff or his  
145 or her designee. A concealed carry permit shall expire three years from the date the permit  
146 was issued under this section.

147 8. The sheriff shall keep a record of all applications for a concealed carry permit  
148 and his or her action thereon. The sheriff shall report the issuance of a concealed carry  
149 permit to the Missouri uniform law enforcement system. All information on any such  
150 permit that is protected information on any driver's or nondriver's license shall have the  
151 same personal protection for purposes of sections 571.180 to 571.198. An applicant's status  
152 as a holder of a concealed carry permit shall not be public information and shall be  
153 considered personal protected information. Any person who violates the provisions of this  
154 subsection by disclosing protected information shall be guilty of a class A misdemeanor.

155 9. Information regarding any holder of a concealed carry permit is a closed record.

156 10. For processing an application for a concealed carry permit under sections  
157 571.180 to 571.198, the sheriff in each county shall charge a nonrefundable fee not to  
158 exceed one hundred dollars which shall be paid to the treasury of the county to the credit  
159 of the sheriff's revolving fund. For processing a conversion of a certificate of qualification  
160 for a concealed carry endorsement or a concealed carry endorsement under section  
161 571.180, the sheriff in each county shall charge a nonrefundable conversion fee not to  
162 exceed fifty dollars which shall be paid to the treasury of the county to the credit of the  
163 sheriff's revolving fund.

164 11. For processing a renewal for a concealed carry permit under sections 571.180  
165 to 571.198, the sheriff in each county shall charge a nonrefundable fee not to exceed fifty

166 dollars which shall be paid to the treasury of the county to the credit of the sheriff's  
167 revolving fund.

168       **12. For the purposes of sections 571.180 to 571.198, the term "sheriff" shall include**  
169 **the sheriff of any county or city not within a county or his or her designee and in counties**  
170 **of the first classification the sheriff may designate the chief of police of any city, town, or**  
171 **municipality within such county.**

**571.184. 1. (1) A concealed carry permit issued under sections 571.180 to 571.198**  
2 **shall be suspended or revoked if the concealed carry permit holder becomes ineligible for**  
3 **such concealed carry permit under the criteria established in subdivisions (2), (3), (4), (5),**  
4 **and (7) of subsection 2 of section 571.182 or upon the issuance of a valid full order of**  
5 **protection.**

6       **(2) When a valid full order of protection, or any arrest warrant, discharge, or**  
7 **commitment for the reasons listed in subdivision (2), (3), (4), (5), or (7) of subsection 2 of**  
8 **section 571.182, is issued against a person holding a concealed carry permit issued under**  
9 **sections 571.180 to 571.198 upon notification of said order, warrant, discharge or**  
10 **commitment or upon an order of a court of competent jurisdiction in a criminal**  
11 **proceeding, a commitment proceeding or a full order of protection proceeding ruling that**  
12 **a person holding a concealed carry permit presents a risk of harm to themselves or others,**  
13 **then upon notification of such order, the holder of the concealed carry permit shall**  
14 **surrender the concealed carry permit to the court, to the officer, or other official serving**  
15 **the order, warrant, discharge, or commitment.**

16       **(3) The official to whom the concealed carry permit is surrendered shall transmit**  
17 **the concealed carry permit to the circuit court of the county issuing the order, warrant,**  
18 **discharge, or commitment. The concealed carry permit issued under sections 571.180 to**  
19 **571.198 shall be suspended until the order is terminated or until the arrest results in a**  
20 **dismissal of all charges. Upon dismissal, the court holding the concealed carry permit shall**  
21 **return it to the individual.**

22       **(4) Any conviction, discharge, or commitment specified in sections 571.180 to**  
23 **571.198 shall result in a revocation. Upon conviction, the court shall forward a notice of**  
24 **conviction or action and the concealed carry permit to the sheriff of the county which**  
25 **issued the concealed carry permit and the sheriff shall report the change in status of the**  
26 **concealed carry permit to the Missouri uniform law enforcement system.**

27       **2. A concealed carry permit shall be renewed for a qualified applicant upon receipt**  
28 **of the properly completed renewal application and the required renewal fee by the sheriff**  
29 **of the county of the applicant's residence. The renewal application shall contain the same**  
30 **required information as set forth in subsection 3 of section 571.182, except that in lieu of**

31 the fingerprint requirement of subsection 5 of section 571.182 and the firearms safety  
32 training, the applicant need only display his or her current concealed carry permit. Upon  
33 successful completion of all renewal requirements, the sheriff shall issue a new concealed  
34 carry permit which contains the date such permit was renewed.

35       3. A person who has been issued a concealed carry permit who fails to file a renewal  
36 application on or before its expiration date must pay an additional late fee of ten dollars  
37 per month for each month it is expired for up to six months. After six months, the sheriff  
38 who issued the expired permit shall notify the permit holder that such certificate is expired.  
39 The notice of expiration of the endorsement shall be mailed to the address shown on the  
40 expired permit and the notice is deemed received three days after mailing. Any person who  
41 has been issued a concealed carry permit under sections 571.180 to 571.198 who fails to  
42 renew his or her application within the six-month period must reapply for a new concealed  
43 carry permit and pay the fee for a new application.

44       4. Any person issued a concealed carry permit under sections 571.180 to 571.198  
45 shall notify the sheriffs of both the old and new jurisdictions of the permit holder's change  
46 of residence within thirty days after the changing of a permanent residence. The permit  
47 holder shall furnish proof to the sheriff in the new jurisdiction that the permit holder has  
48 changed his or her residence. The sheriff of the new jurisdiction may charge a processing  
49 fee of not more than ten dollars for any costs associated with notification of a change in  
50 residence. The change of residence shall be entered by the sheriff of the old jurisdiction  
51 into the Missouri uniform law enforcement system within three days of receipt of the  
52 information.

53       5. Any person issued a concealed carry permit under sections 571.180 to 571.198  
54 shall notify the sheriff or his or her designee of the permit holder's county or city of  
55 residence within seven days after actual knowledge of the loss or destruction of his or her  
56 concealed carry permit. The permit holder shall furnish a statement to the sheriff that the  
57 concealed carry permit has been lost or destroyed. After notification of the loss or  
58 destruction of a concealed carry permit, the sheriff shall reissue a new concealed carry  
59 permit within three working days of being notified by the concealed carry permit holder  
60 of its loss or destruction. The reissued concealed carry permit shall contain the same  
61 personal information, including expiration date, as the original permit.

62       6. If a person issued a concealed carry permit changes his or her name, the person  
63 to whom the permit was issued shall obtain a corrected concealed carry permit with a  
64 change of name from the sheriff who issued such permit upon the sheriff's verification of  
65 the name change. The sheriff may charge a processing fee of not more than ten dollars for  
66 any costs associated with obtaining a corrected concealed carry permit. The permit holder

67 shall furnish proof of the name change to the sheriff within thirty days of changing his or  
68 her name and display his or her current concealed carry permit. The sheriff shall take  
69 custody of the old concealed carry permit. The name change shall be entered by the sheriff  
70 into the Missouri uniform law enforcement system within three days of receipt of the  
71 information.

72 7. A concealed carry permit shall be automatically invalid after thirty days if the  
73 permit holder has changed his or her name or changed his or her residence and not  
74 notified the sheriff of a change of name or residence as required in subsections 4 and 6 of  
75 this section.

571.186. 1. A concealed carry permit issued under sections 571.180 to 571.198 or  
2 a concealed carry endorsement or permit issued by another state or political subdivision  
3 of another state shall authorize the person in whose name the permit or endorsement is  
4 issued to carry concealed firearms on or about his or her person or vehicle throughout the  
5 state. No concealed carry permit issued under sections 571.180 to 571.198 or a concealed  
6 carry endorsement or permit issued by another state or political subdivision of another  
7 state shall authorize any person to carry concealed firearms into:

8 (1) Any police, sheriff, or highway patrol office or station without the consent of  
9 the chief law enforcement officer in charge of that office or station. Possession of a firearm  
10 in a vehicle on the premises of the office or station shall not be a criminal offense so long  
11 as the firearm is not removed from the vehicle or brandished while the vehicle is on the  
12 premises;

13 (2) Within twenty-five feet of any polling place on any election day. Possession of  
14 a firearm in a vehicle on the premises of the polling place shall not be a criminal offense  
15 so long as the firearm is not removed from the vehicle or brandished while the vehicle is  
16 on the premises;

17 (3) The facility of any adult or juvenile detention or correctional institution, prison  
18 or jail. Possession of a firearm in a vehicle on the premises of any adult, juvenile detention,  
19 or correctional institution, prison or jail shall not be a criminal offense so long as the  
20 firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

21 (4) Any courthouse solely occupied by the circuit, appellate or supreme court, or  
22 any courtrooms, administrative offices, libraries or other rooms of any such court whether  
23 or not such court solely occupies the building in question. This subdivision shall also  
24 include, but not be limited to, any juvenile, family, drug, or other court offices, any room  
25 or office wherein any of the courts or offices listed in this subdivision are temporarily  
26 conducting any business within the jurisdiction of such courts or offices, and such other  
27 locations in such manner as may be specified by supreme court rule under subdivision (6)

28 of this subsection. Nothing in this subdivision shall preclude those persons listed in  
29 subdivision (1) of subsection 2 of section 571.030 while within their jurisdiction and on  
30 duty, those persons listed in subdivisions (2), (4), and (10) of subsection 2 of section  
31 571.030, or such other persons who serve in a law enforcement capacity for a court as may  
32 be specified by supreme court rule under subdivision (6) of this subsection from carrying  
33 a concealed firearm within any of the areas described in this subdivision. Possession of a  
34 firearm in a vehicle on the premises of any of the areas listed in this subdivision shall not  
35 be a criminal offense so long as the firearm is not removed from the vehicle or brandished  
36 while the vehicle is on the premises;

37 (5) Any meeting of the governing body of a unit of local government; or any  
38 meeting of the general assembly or a committee of the general assembly, except that  
39 nothing in this subdivision shall preclude a member of the body holding a valid concealed  
40 carry endorsement from carrying a concealed firearm at a meeting of the body which he  
41 or she is a member. Possession of a firearm in a vehicle on the premises shall not be a  
42 criminal offense so long as the firearm is not removed from the vehicle or brandished while  
43 the vehicle is on the premises. Nothing in this subdivision shall preclude a member of the  
44 general assembly, a full-time employee of the general assembly employed under section 17,  
45 article III, Constitution of Missouri, legislative employees of the general assembly as  
46 determined under section 21.155, or statewide elected officials and their employees, holding  
47 a valid concealed carry permit, from carrying a concealed firearm in the state capitol  
48 building or at a meeting whether of the full body of a house of the general assembly or a  
49 committee thereof, that is held in the state capitol building;

50 (6) The general assembly, supreme court, county or municipality may by rule,  
51 administrative regulation, or ordinance prohibit or limit the carrying of concealed firearms  
52 by permit holders in that portion of a building owned, leased or controlled by that unit of  
53 government. Any portion of a building in which the carrying of concealed firearms is  
54 prohibited or limited shall be clearly identified by signs posted at the entrance to the  
55 restricted area. The statute, rule or ordinance shall exempt any building used for public  
56 housing by private persons, highways or rest areas, firing ranges, and private dwellings  
57 owned, leased, or controlled by that unit of government from any restriction on the  
58 carrying or possession of a firearm. The statute, rule or ordinance shall not specify any  
59 criminal penalty for its violation but may specify that persons violating the statute, rule or  
60 ordinance may be denied entrance to the building, ordered to leave the building and if  
61 employees of the unit of government, be subjected to disciplinary measures for violation  
62 of the provisions of the statute, rule or ordinance. The provisions of this subdivision shall  
63 not apply to any other unit of government;



64           (7) Any establishment licensed to dispense intoxicating liquor for consumption on  
65 the premises, which portion is primarily devoted to that purpose, without the consent of  
66 the owner or manager. The provisions of this subdivision shall not apply to the licensee  
67 of said establishment. The provisions of this subdivision shall not apply to any bona fide  
68 restaurant open to the general public having dining facilities for not less than fifty persons  
69 and that receives at least fifty-one percent of its gross annual income from the dining  
70 facilities by the sale of food. This subdivision does not prohibit the possession of a firearm  
71 in a vehicle on the premises of the establishment and shall not be a criminal offense so long  
72 as the firearm is not removed from the vehicle or brandished while the vehicle is on the  
73 premises. Nothing in this subdivision authorizes any individual who has been issued a  
74 concealed carry permit to possess any firearm while intoxicated;

75           (8) Any area of an airport to which access is controlled by the inspection of persons  
76 and property. Possession of a firearm in a vehicle on the premises of the airport shall not  
77 be a criminal offense so long as the firearm is not removed from the vehicle or brandished  
78 while the vehicle is on the premises;

79           (9) Any place where the carrying of a firearm is prohibited by federal law;

80           (10) Any higher education institution or elementary or secondary school facility  
81 without the consent of the governing body of the higher education institution or a school  
82 official or the district school board. Possession of a firearm in a vehicle on the premises of  
83 any higher education institution or elementary or secondary school facility shall not be a  
84 criminal offense so long as the firearm is not removed from the vehicle or brandished while  
85 the vehicle is on the premises;

86           (11) Any portion of a building used as a child care facility without the consent of  
87 the manager. Nothing in this subdivision shall prevent the operator of a child care facility  
88 in a family home from owning or possessing a firearm or a concealed carry permit;

89           (12) Any riverboat gambling operation accessible by the public without the consent  
90 of the owner or manager under rules promulgated by the gaming commission. Possession  
91 of a firearm in a vehicle on the premises of a riverboat gambling operation shall not be a  
92 criminal offense so long as the firearm is not removed from the vehicle or brandished while  
93 the vehicle is on the premises;

94           (13) Any gated area of an amusement park. Possession of a firearm in a vehicle on  
95 the premises of the amusement park shall not be a criminal offense so long as the firearm  
96 is not removed from the vehicle or brandished while the vehicle is on the premises;

97           (14) Any church or other place of religious worship without the consent of the  
98 minister or person or persons representing the religious organization that exercises control  
99 over the place of religious worship. Possession of a firearm in a vehicle on the premises

shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(15) Any private property whose owner has posted the premises as being off-limits to concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum size of eleven inches by fourteen inches with the writing thereon in letters of not less than one inch. The owner, business or commercial lessee, manager of a private business enterprise, or any other organization, entity, or person may prohibit persons holding a concealed carry permit from carrying concealed firearms on the premises and may prohibit employees, not authorized by the employer, holding a concealed carry permit from carrying concealed firearms on the property of the employer. If the building or the premises are open to the public, the employer of the business enterprise shall post signs on or about the premises if carrying a concealed firearm is prohibited. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. An employer may prohibit employees or other persons holding a concealed carry permit from carrying a concealed firearm in vehicles owned by the employer;

(16) Any sports arena or stadium with a seating capacity of five thousand or more. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(17) Any hospital accessible by the public. Possession of a firearm in a vehicle on the premises of a hospital shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises.

2. Carrying of a concealed firearm in a location specified in subdivisions (1) to (17) of subsection 1 of this section by any individual who holds a concealed carry permit issued under sections 571.180 to 571.198 shall not be a criminal act but may subject the person to denial to the premises or removal from the premises. If such person refuses to leave the premises and a peace officer is summoned, such person may be issued a citation for an amount not to exceed one hundred dollars for the first offense. If a second citation for a similar violation occurs within a six-month period, such person shall be fined an amount not to exceed two hundred dollars and his or her permit to carry concealed firearms shall be suspended for a period of one year. If a third citation for a similar violation is issued within one year of the first citation, such person shall be fined an amount not to exceed five hundred dollars and shall have his or her concealed carry permit revoked and such person shall not be eligible for a concealed carry permit for a period of three years. Upon conviction of charges arising from a citation issued under this subsection, the court shall

136 notify the sheriff of the county which issued the concealed carry permit. The sheriff shall  
137 suspend or revoke the concealed carry permit and shall issue a notice of such suspension  
138 or revocation of the concealed carry permit by mailing the notice to the address shown on  
139 the concealed carry permit. The notice is deemed received three days after mailing. The  
140 sheriff shall also enter the suspension or revocation into the Missouri uniform law  
141 enforcement system. A concealed carry permit suspension under sections 571.180 to  
142 571.198 shall be reinstated by the sheriff one year after the date of the suspension as long  
143 as the permit has not expired or been revoked during that time period. The sheriff shall  
144 issue a notice of such reinstatement of the concealed carry permit by mailing the notice to  
145 the address shown on the concealed carry permit. The sheriff shall also enter the  
146 reinstatement into the Missouri uniform law enforcement system.

571.188. 1. An applicant for a concealed carry permit shall demonstrate knowledge  
2 of firearms safety training. This requirement shall be fully satisfied if the applicant for a  
3 concealed carry endorsement:

4 (1) Submits a photocopy of a certificate of firearms safety training course  
5 completion, as defined in subsection 2 of this section, signed by a qualified firearms safety  
6 instructor as defined in subsection 5 of this section; or

7 (2) Submits a photocopy of a certificate that shows the applicant completed a  
8 firearms safety course given by or under the supervision of any state, county, municipal,  
9 or federal law enforcement agency; or

10 (3) Is a qualified firearms safety instructor as defined in subsection 5 of this section;  
11 or

12 (4) Submits proof that the applicant currently holds any type of valid peace officer  
13 license issued under the requirements of chapter 590; or

14 (5) Submits proof that the applicant is currently allowed to carry firearms in  
15 accordance with the certification requirements of section 217.710; or

16 (6) Submits proof that the applicant is currently certified as any class of corrections  
17 officer by the Missouri department of corrections and has passed at least one eight-hour  
18 firearms training course, approved by the director of the Missouri department of  
19 corrections under the authority granted to him or her by section 217.105, that includes  
20 instruction on the justifiable use of force as prescribed in chapter 563; or

21 (7) Submits a photocopy of a certificate of firearms safety training course  
22 completion that was issued on August 27, 2011, or earlier so long as the certificate met the  
23 requirements of subsection 2 of this section that were in effect on the date it was issued.

24 2. A certificate of firearms safety training course completion may be issued to any  
25 applicant by any qualified firearms safety instructor. On the certificate of course

26 completion the qualified firearms safety instructor shall affirm that the individual  
27 receiving instruction has taken and passed a firearms safety course of at least eight hours  
28 in length taught by the instructor that included:

29 (1) Handgun safety in the classroom, at home, on the firing range and while  
30 carrying the firearm;

31 (2) A physical demonstration performed by the applicant that demonstrated his or  
32 her ability to safely load and unload a revolver and a semiautomatic pistol and  
33 demonstrated his or her marksmanship with both;

34 (3) The basic principles of marksmanship;

35 (4) Care and cleaning of concealable firearms;

36 (5) Safe storage of firearms at home;

37 (6) The requirements of this state for obtaining a concealed carry permit from the  
38 sheriff of the individual's county of residence;

39 (7) The laws relating to firearms as prescribed in this chapter;

40 (8) The laws relating to the justifiable use of force as prescribed in chapter 563;

41 (9) A live firing exercise of sufficient duration for each applicant to fire both a  
42 revolver and a semiautomatic pistol, from a standing position or its equivalent, a minimum  
43 of fifty rounds from each handgun at a distance of seven yards from a B-27 silhouette  
44 target or an equivalent target;

45 (10) A live fire test administered to the applicant while the instructor was present  
46 of twenty rounds from each handgun from a standing position or its equivalent at a  
47 distance from a B-27 silhouette target, or an equivalent target, of seven yards.

48 3. A qualified firearms safety instructor shall not give a grade of passing to an  
49 applicant for a concealed carry endorsement who:

50 (1) Does not follow the orders of the qualified firearms instructor or cognizant  
51 range officer; or

52 (2) Handles a firearm in a manner that, in the judgment of the qualified firearm  
53 safety instructor, poses a danger to the applicant or to others; or

54 (3) During the live fire testing portion of the course fails to hit the silhouette portion  
55 of the targets with at least fifteen rounds, with both handguns.

56 4. Qualified firearms safety instructors who provide firearms safety instruction to  
57 any person who applies for a concealed carry permit shall:

58 (1) Make the applicant's course records available upon request to the sheriff of the  
59 county in which the applicant resides;

60 (2) Maintain all course records on students for a period of no less than four years  
61 from course completion date; and

62 (3) Not have more than forty students in the classroom portion of the course or  
 63 more than five students per range officer engaged in range firing.

64 5. A firearms safety instructor shall be considered to be a qualified firearms safety  
 65 instructor by any sheriff issuing a concealed carry permit under sections 571.180 to 571.198  
 66 if the instructor:

67 (1) Is a valid firearms safety instructor certified by the National Rifle Association  
 68 holding a rating as a personal protection instructor or pistol marksmanship instructor; or

69 (2) Submits a photocopy of a certificate from a firearms safety instructor's course  
 70 offered by a local, state, or federal governmental agency; or

71 (3) Submits a photocopy of a certificate from a firearms safety instructor course  
 72 approved by the department of public safety; or

73 (4) Has successfully completed a firearms safety instructor course given by or  
 74 under the supervision of any state, county, municipal, or federal law enforcement agency;  
 75 or

76 (5) Is a certified police officer firearms safety instructor.

77 6. Any firearms safety instructor who knowingly provides any sheriff with any false  
 78 information concerning an applicant's performance on any portion of the required training  
 79 and qualification shall be guilty of a class C misdemeanor.

571.190. 1. In any case when the sheriff refuses to issue a concealed carry permit  
 2 or to act on an application for such permit, the denied applicant shall have the right to  
 3 appeal the denial within thirty days of receiving written notice of the denial. Such appeals  
 4 shall be heard in small claims court as defined in section 482.300, and the provisions of  
 5 sections 482.300, 482.310 and 482.335 shall apply to such appeals.

6 2. A denial of or refusal to act on an application for a concealed carry permit may  
 7 be appealed by filing with the clerk of the small claims court a copy of the sheriff's written  
 8 refusal and a form substantially similar to the appeal form provided in this section. Appeal  
 9 forms shall be provided by the clerk of the small claims court free of charge to any person:

10 **SMALL CLAIMS COURT**

11

12 In the Circuit Court of ....., Missouri

13 ....., Denied Applicant

14 )

15 )

16 vs.)

Case Number .....

17 )

18 )

19 ..... , Sheriff

20

21 Return Date .....

22 **APPEAL OF A DENIAL OF A CONCEALED CARRY PERMIT**

23

24 The denied applicant states that his or her properly completed application for a concealed  
25 carry permit was denied by the sheriff of ..... County, Missouri, without just cause.

26 The denied applicant affirms that all of the statements in the application are true.

27

28 ..... , Denied Applicant

29 3. The notice of appeal in a denial of a concealed carry permit appeal shall be made  
30 to the sheriff in a manner and form determined by the small claims court judge.

31 4. If at the hearing the person shows he or she is entitled to the requested concealed  
32 carry permit, the court shall issue an appropriate order to cause the issuance of the  
33 concealed carry permit. Costs shall not be assessed against the sheriff unless the action of  
34 the sheriff is determined by the judge to be arbitrary and capricious.

35 5. Any person aggrieved by any final judgment rendered by a small claims court  
36 in a denial of a concealed carry permit appeal may have a right to trial de novo as provided  
37 in sections 512.180 to 512.320.

571.192. 1. Any person who has knowledge that another person, who was issued  
2 a concealed carry permit under sections 571.180 to 571.198, never was or no longer is  
3 eligible for such permit under the criteria established in sections 571.180 to 571.198 may  
4 file a petition with the clerk of the small claims court to revoke that person's concealed  
5 carry permit. The petition shall be in a form substantially similar to the petition for  
6 revocation of concealed carry permit provided in this section. Appeal forms shall be  
7 provided by the clerk of the small claims court free of charge to any person:

8 **SMALL CLAIMS COURT**

9 In the Circuit Court of ..... , Missouri

10 ..... , PLAINTIFF

11 )

12 )

13 vs.)

Case Number .....

14 )

15 ..... , DEFENDANT,

16

17 Carry Endorsement Holder

18 ..... , DEFENDANT,

19

20 Sheriff of Issuance PETITION FOR REVOCATION OF CONCEALED CARRY PERMIT

21 Plaintiff states to the court that the defendant, ....., has a concealed carry  
22 permit issued under sections 571.180 to 571.198, RSMo, and that the defendant's concealed  
23 carry permit should now be revoked because the defendant either never was or no longer  
24 is eligible for such a permit under the provisions of sections 571.180 to 571.198, RSMo,  
25 specifically plaintiff states that defendant, ....., never was or no longer is eligible for  
26 such permit for one or more of the following reasons: (CHECK BELOW EACH REASON  
27 THAT APPLIES TO THIS DEFENDANT)

28 ☐ Defendant is not at least twenty-one years of age or at least eighteen years of age  
29 and a member of the United States Armed Forces or honorably discharged from the United  
30 States Armed Forces.

31 ☐ Defendant is not a citizen of the United States.

32 ☐ Defendant had not resided in this state prior to issuance of the permit and does  
33 not qualify as a military member or spouse of a military member stationed in Missouri.

34 ☐ Defendant has pled guilty to or been convicted of a crime punishable by  
35 imprisonment for a term exceeding one year under the laws of any state or of the United  
36 States other than a crime classified as a misdemeanor under the laws of any state and  
37 punishable by a term of imprisonment of one year or less that does not involve an explosive  
38 weapon, firearm, firearm silencer, or gas gun.

39 ☐ Defendant has been convicted of, pled guilty to or entered a plea of nolo  
40 contendere to one or more misdemeanor offenses involving crimes of violence within a  
41 five-year period immediately preceding application for a concealed carry permit issued  
42 under sections 571.180 to 571.198, RSMo, or if the applicant has been convicted of two or  
43 more misdemeanor offenses involving driving while under the influence of intoxicating  
44 liquor or drugs or the possession or abuse of a controlled substance within a five-year  
45 period immediately preceding application for a concealed carry permit issued under  
46 sections 571.180 to 571.198, RSMo.

47 ☐ Defendant is a fugitive from justice or currently charged in an information or  
48 indictment with the commission of a crime punishable by imprisonment for a term  
49 exceeding one year under the laws of any state of the United States other than a crime  
50 classified as a misdemeanor under the laws of any state and punishable by a term of  
51 imprisonment of one year or less that does not involve an explosive weapon, firearm,  
52 firearm silencer, or gas gun.

53        ☐ Defendant has been discharged under dishonorable conditions from the United  
54 States Armed Forces.

55        ☐ Defendant is reasonably believed by the sheriff to be a danger to self or others  
56 based on previous, documented pattern.

57        ☐ Defendant is adjudged mentally incompetent at the time of application or for five  
58 years prior to application, or has been committed to a mental health facility, as defined in  
59 section 632.005, RSMo, or a similar institution located in another state, except that a  
60 person whose release or discharge from a facility in this state under chapter 632, RSMo,  
61 or a similar discharge from a facility in another state, occurred more than five years ago  
62 without subsequent recommitment may apply.

63        ☐ Defendant failed to submit a completed application for a certificate of  
64 qualification or concealed carry endorsement issued under sections 571.180 to 571.198,  
65 RSMo.

66        ☐ Defendant failed to submit to or failed to clear the required background check.

67        ☐ Defendant failed to submit an affidavit attesting that the applicant complies with  
68 the concealed carry safety training requirement under subsection 1 of section 571.188,  
69 RSMo. The plaintiff subject to penalty for perjury states that the information contained  
70 in this petition is true and correct to the best of the plaintiff's knowledge, is reasonably  
71 based upon the petitioner's personal knowledge and is not primarily intended to harass the  
72 defendant/respondent named herein.

73 ..... , PLAINTIFF

74        2. If at the hearing the plaintiff shows that the defendant was not eligible for the  
75 concealed carry permit issued under sections 571.180 to 571.198 at the time of issuance or  
76 renewal or is no longer eligible for a concealed carry permit issued under the provisions  
77 of sections 571.180 to 571.198, the court shall issue an appropriate order to cause the  
78 revocation of the concealed carry permit. Costs shall not be assessed against the sheriff.

79        3. The finder of fact, in any action brought against a permit holder under  
80 subsection 1 of this section, shall make findings of fact and the court shall make  
81 conclusions of law addressing the issues at dispute. If it is determined that the plaintiff in  
82 such an action acted without justification or with malice or primarily with an intent to  
83 harass the permit holder or that there was no reasonable basis to bring the action, the  
84 court shall order the plaintiff to pay the defendant/respondent all reasonable costs  
85 incurred in defending the action including, but not limited to, attorney's fees, deposition  
86 costs, and lost wages. Once the court determines that the plaintiff is liable to the  
87 defendant/respondent for costs and fees, the extent and type of fees and costs to be  
88 awarded should be liberally calculated in defendant/respondent's favor. Notwithstanding



89 any other provision of law, reasonable attorney's fees shall be presumed to be at least one  
90 hundred fifty dollars per hour.

91 4. Any person aggrieved by any final judgment rendered by a small claims court  
92 in a petition for revocation of a concealed carry permit may have a right to trial de novo  
93 as provided in sections 512.180 to 512.320.

94 5. The office of the county sheriff or any employee or agent of the county sheriff  
95 shall not be liable for damages in any civil action arising from alleged wrongful or  
96 improper granting, renewing, or failure to revoke a concealed carry permit issued under  
97 sections 571.180 to 571.198, so long as the sheriff acted in good faith.

571.194. Any person issued a concealed carry permit under sections 571.180 to  
2 571.198 shall carry the concealed carry permit at all times the person is carrying a  
3 concealed firearm and shall display the concealed carry permit upon the request of any  
4 peace officer. Failure to comply with this subsection shall not be a criminal offense but the  
5 concealed carry permit holder may be issued a citation for an amount not to exceed  
6 thirty-five dollars.

571.196. 1. The Missouri state highway patrol shall, prior to January 1, 2014,  
2 develop a concealed carry permit form to be used by all sheriff's in issuing concealed carry  
3 permits and distribute the forms to the sheriff of every county or city not within a county  
4 in the state. The Missouri state highway patrol shall determine the content of the form but  
5 at a minimum the concealed carry permit form shall include the following:

6 (1) The name, address, date of birth, race, sex, citizenship, country of citizenship,  
7 height, weight, color of hair, color of eyes, and signature of the applicant for the permit;

8 (2) The signature of the sheriff issuing the permit;

9 (3) A permit number of which the first two numbers shall be a county location code  
10 followed by numbers issued in numerical sequence;

11 (4) The issue date and the expiration date; and

12 (5) A photograph of the applicant.

13 2. The original concealed carry permit shall be issued to the applicant and a copy  
14 of the permit shall be retained by the issuing sheriff who shall enter the information into  
15 the Missouri uniform law enforcement system.

571.198. The repeal of sections 571.101, 571.102, 571.104, 571.107, 571.111, 571.114,  
2 571.117, and 571.121 shall become effective on February 1, 2014.

[571.101. 1. All applicants for concealed carry endorsements issued  
2 pursuant to subsection 7 of this section must satisfy the requirements of sections  
3 571.101 to 571.121. If the said applicant can show qualification as provided by  
4 sections 571.101 to 571.121, the county or city sheriff shall issue a certificate of  
5 qualification for a concealed carry endorsement. Upon receipt of such certificate,

6 the certificate holder shall apply for a driver's license or nondriver's license with  
7 the director of revenue in order to obtain a concealed carry endorsement. Any  
8 person who has been issued a concealed carry endorsement on a driver's license  
9 or nondriver's license and such endorsement or license has not been suspended,  
10 revoked, cancelled, or denied may carry concealed firearms on or about his or her  
11 person or within a vehicle. A concealed carry endorsement shall be valid for a  
12 period of three years from the date of issuance or renewal. The concealed carry  
13 endorsement is valid throughout this state.

14 2. A certificate of qualification for a concealed carry endorsement issued  
15 pursuant to subsection 7 of this section shall be issued by the sheriff or his or her  
16 designee of the county or city in which the applicant resides, if the applicant:

17 (1) Is at least twenty-one years of age, is a citizen of the United States  
18 and either:

19 (a) Has assumed residency in this state; or

20 (b) Is a member of the Armed Forces stationed in Missouri, or the spouse  
21 of such member of the military;

22 (2) Is at least twenty-one years of age, or is at least eighteen years of age  
23 and a member of the United States Armed Forces or honorably discharged from  
24 the United States Armed Forces, and is a citizen of the United States and either:

25 (a) Has assumed residency in this state;

26 (b) Is a member of the Armed Forces stationed in Missouri; or

27 (c) The spouse of such member of the military stationed in Missouri and  
28 twenty-one years of age;

29 (3) Has not pled guilty to or entered a plea of nolo contendere or been  
30 convicted of a crime punishable by imprisonment for a term exceeding one year  
31 under the laws of any state or of the United States other than a crime classified  
32 as a misdemeanor under the laws of any state and punishable by a term of  
33 imprisonment of one year or less that does not involve an explosive weapon,  
34 firearm, firearm silencer or gas gun;

35 (4) Has not been convicted of, pled guilty to or entered a plea of nolo  
36 contendere to one or more misdemeanor offenses involving crimes of violence  
37 within a five-year period immediately preceding application for a certificate of  
38 qualification for a concealed carry endorsement or if the applicant has not been  
39 convicted of two or more misdemeanor offenses involving driving while under  
40 the influence of intoxicating liquor or drugs or the possession or abuse of a  
41 controlled substance within a five-year period immediately preceding application  
42 for a certificate of qualification for a concealed carry endorsement;

43 (5) Is not a fugitive from justice or currently charged in an information  
44 or indictment with the commission of a crime punishable by imprisonment for  
45 a term exceeding one year under the laws of any state of the United States other  
46 than a crime classified as a misdemeanor under the laws of any state and  
47 punishable by a term of imprisonment of two years or less that does not involve  
48 an explosive weapon, firearm, firearm silencer, or gas gun;

49           (6) Has not been discharged under dishonorable conditions from the  
50 United States Armed Forces;

51           (7) Has not engaged in a pattern of behavior, documented in public  
52 records, that causes the sheriff to have a reasonable belief that the applicant  
53 presents a danger to himself or others;

54           (8) Is not adjudged mentally incompetent at the time of application or for  
55 five years prior to application, or has not been committed to a mental health  
56 facility, as defined in section 632.005, or a similar institution located in another  
57 state following a hearing at which the defendant was represented by counsel or  
58 a representative;

59           (9) Submits a completed application for a certificate of qualification as  
60 described in subsection 3 of this section;

61           (10) Submits an affidavit attesting that the applicant complies with the  
62 concealed carry safety training requirement pursuant to subsections 1 and 2 of  
63 section 571.111;

64           (11) Is not the respondent of a valid full order of protection which is still  
65 in effect.

66           3. The application for a certificate of qualification for a concealed carry  
67 endorsement issued by the sheriff of the county of the applicant's residence shall  
68 contain only the following information:

69           (1) The applicant's name, address, telephone number, gender, and date  
70 and place of birth;

71           (2) An affirmation that the applicant has assumed residency in Missouri  
72 or is a member of the Armed Forces stationed in Missouri or the spouse of such  
73 a member of the Armed Forces and is a citizen of the United States;

74           (3) An affirmation that the applicant is at least twenty-one years of age  
75 or is eighteen years of age or older and a member of the United States Armed  
76 Forces or honorably discharged from the United States Armed Forces;

77           (4) An affirmation that the applicant has not pled guilty to or been  
78 convicted of a crime punishable by imprisonment for a term exceeding one year  
79 under the laws of any state or of the United States other than a crime classified  
80 as a misdemeanor under the laws of any state and punishable by a term of  
81 imprisonment of one year or less that does not involve an explosive weapon,  
82 firearm, firearm silencer, or gas gun;

83           (5) An affirmation that the applicant has not been convicted of, pled  
84 guilty to, or entered a plea of nolo contendere to one or more misdemeanor  
85 offenses involving crimes of violence within a five-year period immediately  
86 preceding application for a certificate of qualification to obtain a concealed carry  
87 endorsement or if the applicant has not been convicted of two or more  
88 misdemeanor offenses involving driving while under the influence of intoxicating  
89 liquor or drugs or the possession or abuse of a controlled substance within a  
90 five-year period immediately preceding application for a certificate of  
91 qualification to obtain a concealed carry endorsement;

(6) An affirmation that the applicant is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;

(7) An affirmation that the applicant has not been discharged under dishonorable conditions from the United States Armed Forces;

(8) An affirmation that the applicant is not adjudged mentally incompetent at the time of application or for five years prior to application, or has not been committed to a mental health facility, as defined in section 632.005, or a similar institution located in another state, except that a person whose release or discharge from a facility in this state pursuant to chapter 632, or a similar discharge from a facility in another state, occurred more than five years ago without subsequent recommitment may apply;

(9) An affirmation that the applicant has received firearms safety training that meets the standards of applicant firearms safety training defined in subsection 1 or 2 of section 571.111;

(10) An affirmation that the applicant, to the applicant's best knowledge and belief, is not the respondent of a valid full order of protection which is still in effect; and

(11) A conspicuous warning that false statements made by the applicant will result in prosecution for perjury pursuant to the laws of the state of Missouri.

4. An application for a certificate of qualification for a concealed carry endorsement shall be made to the sheriff of the county or any city not within a county in which the applicant resides. An application shall be filed in writing, signed under oath and under the penalties of perjury, and shall state whether the applicant complies with each of the requirements specified in subsection 2 of this section. In addition to the completed application, the applicant for a certificate of qualification for a concealed carry endorsement must also submit the following:

(1) A photocopy of a firearms safety training certificate of completion or other evidence of completion of a firearms safety training course that meets the standards established in subsection 1 or 2 of section 571.111; and

(2) A nonrefundable certificate of qualification fee as provided by subsection 10 or 11 of this section.

5. Before an application for a certificate of qualification for a concealed carry endorsement is approved, the sheriff shall make only such inquiries as he or she deems necessary into the accuracy of the statements made in the application. The sheriff may require that the applicant display a Missouri driver's license or nondriver's license or military identification and orders showing the person being stationed in Missouri. In order to determine the applicant's

suitability for a certificate of qualification for a concealed carry endorsement, the applicant shall be fingerprinted. The sheriff shall request a criminal background check through the appropriate law enforcement agency within three working days after submission of the properly completed application for a certificate of qualification for a concealed carry endorsement. If no disqualifying record is identified by the fingerprint check at the state level, the fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal history record check. Upon receipt of the completed background check, the sheriff shall issue a certificate of qualification for a concealed carry endorsement within three working days. The sheriff shall issue the certificate within forty-five calendar days if the criminal background check has not been received, provided that the sheriff shall revoke any such certificate and endorsement within twenty-four hours of receipt of any background check that results in a disqualifying record, and shall notify the department of revenue.

6. The sheriff may refuse to approve an application for a certificate of qualification for a concealed carry endorsement if he or she determines that any of the requirements specified in subsection 2 of this section have not been met, or if he or she has a substantial and demonstrable reason to believe that the applicant has rendered a false statement regarding any of the provisions of sections 571.101 to 571.121. If the applicant is found to be ineligible, the sheriff is required to deny the application, and notify the applicant in writing, stating the grounds for denial and informing the applicant of the right to submit, within thirty days, any additional documentation relating to the grounds of the denial. Upon receiving any additional documentation, the sheriff shall reconsider his or her decision and inform the applicant within thirty days of the result of the reconsideration. The applicant shall further be informed in writing of the right to appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114. After two additional reviews and denials by the sheriff, the person submitting the application shall appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114.

7. If the application is approved, the sheriff shall issue a certificate of qualification for a concealed carry endorsement to the applicant within a period not to exceed three working days after his or her approval of the application. The applicant shall sign the certificate of qualification in the presence of the sheriff or his or her designee and shall within seven days of receipt of the certificate of qualification take the certificate of qualification to the department of revenue. Upon verification of the certificate of qualification and completion of a driver's license or nondriver's license application pursuant to chapter 302, the director of revenue shall issue a new driver's license or nondriver's license with an endorsement which identifies that the applicant has received a certificate of qualification to carry concealed weapons issued pursuant to sections 571.101 to 571.121 if the applicant is otherwise qualified to receive such driver's license or nondriver's license. Notwithstanding any other provision of chapter 302, a

nondriver's license with a concealed carry endorsement shall expire three years from the date the certificate of qualification was issued pursuant to this section. The requirements for the director of revenue to issue a concealed carry endorsement pursuant to this subsection shall not be effective until July 1, 2004, and the certificate of qualification issued by a county sheriff pursuant to subsection 1 of this section shall allow the person issued such certificate to carry a concealed weapon pursuant to the requirements of subsection 1 of section 571.107 in lieu of the concealed carry endorsement issued by the director of revenue from October 11, 2003, until the concealed carry endorsement is issued by the director of revenue on or after July 1, 2004, unless such certificate of qualification has been suspended or revoked for cause.

8. The sheriff shall keep a record of all applications for a certificate of qualification for a concealed carry endorsement and his or her action thereon. The sheriff shall report the issuance of a certificate of qualification to the Missouri uniform law enforcement system. All information on any such certificate that is protected information on any driver's or nondriver's license shall have the same personal protection for purposes of sections 571.101 to 571.121. An applicant's status as a holder of a certificate of qualification or a concealed carry endorsement shall not be public information and shall be considered personal protected information. Any person who violates the provisions of this subsection by disclosing protected information shall be guilty of a class A misdemeanor.

9. Information regarding any holder of a certificate of qualification or a concealed carry endorsement is a closed record.

10. For processing an application for a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed one hundred dollars which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

11. For processing a renewal for a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed fifty dollars which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

12. For the purposes of sections 571.101 to 571.121, the term "sheriff" shall include the sheriff of any county or city not within a county or his or her designee and in counties of the first classification the sheriff may designate the chief of police of any city, town, or municipality within such county.]

[571.102. The repeal and reenactment of sections 302.181 and 571.101 shall become effective on the date the director of the department of revenue begins to issue nondriver licenses with conceal carry endorsements that expire three years from the dates the certificates of qualification were issued, or on

January 1, 2013, whichever occurs first. If the director of revenue begins issuing nondriver licenses with conceal carry endorsements that expire three years from the dates the certificates of qualification were issued under the authority granted under sections 302.181 and 571.101 prior to January 1, 2013, the director of the department of revenue shall notify the revisor of statutes of such fact.]

[571.104. 1. (1) A concealed carry endorsement issued pursuant to sections 571.101 to 571.121 shall be suspended or revoked if the concealed carry endorsement holder becomes ineligible for such concealed carry endorsement under the criteria established in subdivisions (2), (3), (4), (5), and (7) of subsection 2 of section 571.101 or upon the issuance of a valid full order of protection.

(2) When a valid full order of protection, or any arrest warrant, discharge, or commitment for the reasons listed in subdivision (2), (3), (4), (5), or (7) of subsection 2 of section 571.101, is issued against a person holding a concealed carry endorsement issued pursuant to sections 571.101 to 571.121 upon notification of said order, warrant, discharge or commitment or upon an order of a court of competent jurisdiction in a criminal proceeding, a commitment proceeding or a full order of protection proceeding ruling that a person holding a concealed carry endorsement presents a risk of harm to themselves or others, then upon notification of such order, the holder of the concealed carry endorsement shall surrender the driver's license or nondriver's license containing the concealed carry endorsement to the court, to the officer, or other official serving the order, warrant, discharge, or commitment.

(3) The official to whom the driver's license or nondriver's license containing the concealed carry endorsement is surrendered shall issue a receipt to the licensee for the license upon a form, approved by the director of revenue, that serves as a driver's license or a nondriver's license and clearly states the concealed carry endorsement has been suspended. The official shall then transmit the driver's license or a nondriver's license containing the concealed carry endorsement to the circuit court of the county issuing the order, warrant, discharge, or commitment. The concealed carry endorsement issued pursuant to sections 571.101 to 571.121 shall be suspended until the order is terminated or until the arrest results in a dismissal of all charges. Upon dismissal, the court holding the driver's license or nondriver's license containing the concealed carry endorsement shall return it to the individual.

(4) Any conviction, discharge, or commitment specified in sections 571.101 to 571.121 shall result in a revocation. Upon conviction, the court shall forward a notice of conviction or action and the driver's license or nondriver's license with the concealed carry endorsement to the department of revenue. The department of revenue shall notify the sheriff of the county which issued the certificate of qualification for a concealed carry endorsement and shall report the change in status of the concealed carry endorsement to the Missouri uniform law

enforcement system. The director of revenue shall immediately remove the endorsement issued pursuant to sections 571.101 to 571.121 from the individual's driving record within three days of the receipt of the notice from the court. The director of revenue shall notify the licensee that he or she must apply for a new license pursuant to chapter 302 which does not contain such endorsement. This requirement does not affect the driving privileges of the licensee. The notice issued by the department of revenue shall be mailed to the last known address shown on the individual's driving record. The notice is deemed received three days after mailing.

2. A concealed carry endorsement shall be renewed for a qualified applicant upon receipt of the properly completed renewal application and the required renewal fee by the sheriff of the county of the applicant's residence. The renewal application shall contain the same required information as set forth in subsection 3 of section 571.101, except that in lieu of the fingerprint requirement of subsection 5 of section 571.101 and the firearms safety training, the applicant need only display his or her current driver's license or nondriver's license containing a concealed carry endorsement. Upon successful completion of all renewal requirements, the sheriff shall issue a certificate of qualification which contains the date such certificate was renewed.

3. A person who has been issued a certificate of qualification for a concealed carry endorsement who fails to file a renewal application on or before its expiration date must pay an additional late fee of ten dollars per month for each month it is expired for up to six months. After six months, the sheriff who issued the expired certificate shall notify the director of revenue that such certificate is expired. The director of revenue shall immediately cancel the concealed carry endorsement and remove such endorsement from the individual's driving record and notify the individual of such cancellation. The notice of cancellation of the endorsement shall be conducted in the same manner as described in subsection 1 of this section. Any person who has been issued a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121 who fails to renew his or her application within the six-month period must reapply for a new certificate of qualification for a concealed carry endorsement and pay the fee for a new application. The director of revenue shall not issue an endorsement on a renewed driver's license or renewed nondriver's license unless the applicant for such license provides evidence that he or she has renewed the certification of qualification for a concealed carry endorsement in the manner provided for such renewal pursuant to sections 571.101 to 571.121. If an applicant for renewal of a driver's license or nondriver's license containing a concealed carry endorsement does not want to maintain the concealed carry endorsement, the applicant shall inform the director at the time of license renewal of his or her desire to remove the endorsement. When a driver's or nondriver's license applicant informs the director of his or her desire to remove the concealed carry endorsement, the



81 director shall renew the driver's license or nondriver's license without the  
82 endorsement appearing on the license if the applicant is otherwise qualified for  
83 such renewal.

84 4. Any person issued a concealed carry endorsement pursuant to sections  
85 571.101 to 571.121 shall notify the department of revenue and the sheriffs of both  
86 the old and new jurisdictions of the endorsement holder's change of residence  
87 within thirty days after the changing of a permanent residence. The endorsement  
88 holder shall furnish proof to the department of revenue and the sheriff in the new  
89 jurisdiction that the endorsement holder has changed his or her residence. The  
90 sheriff of the new jurisdiction may charge a processing fee of not more than ten  
91 dollars for any costs associated with notification of a change in residence. The  
92 change of residence shall be made by the department of revenue onto the  
93 individual's driving record and the new address shall be accessible by the  
94 Missouri uniform law enforcement system within three days of receipt of the  
95 information.

96 5. Any person issued a driver's license or nondriver's license containing  
97 a concealed carry endorsement pursuant to sections 571.101 to 571.121 shall  
98 notify the sheriff or his or her designee of the endorsement holder's county or city  
99 of residence within seven days after actual knowledge of the loss or destruction  
100 of his or her driver's license or nondriver's license containing a concealed carry  
101 endorsement. The endorsement holder shall furnish a statement to the sheriff that  
102 the driver's license or nondriver's license containing the concealed carry  
103 endorsement has been lost or destroyed. After notification of the loss or  
104 destruction of a driver's license or nondriver's license containing a concealed  
105 carry endorsement, the sheriff shall reissue a new certificate of qualification  
106 within three working days of being notified by the concealed carry endorsement  
107 holder of its loss or destruction. The reissued certificate of qualification shall  
108 contain the same personal information, including expiration date, as the original  
109 certificate of qualification. The applicant shall then take the certificate to the  
110 department of revenue, and the department of revenue shall proceed on the  
111 certificate in the same manner as provided in subsection 7 section 571.101. Upon  
112 application for a license pursuant to chapter 302, the director of revenue shall  
113 issue a driver's license or nondriver's license containing a concealed carry  
114 endorsement if the applicant is otherwise eligible to receive such license.

115 6. If a person issued a concealed carry endorsement changes his or her  
116 name, the person to whom the endorsement was issued shall obtain a corrected  
117 certificate of qualification for a concealed carry endorsement with a change of  
118 name from the sheriff who issued such certificate upon the sheriff's verification  
119 of the name change. The sheriff may charge a processing fee of not more than  
120 ten dollars for any costs associated with obtaining a corrected certificate of  
121 qualification. The endorsement holder shall furnish proof of the name change to  
122 the department of revenue and the sheriff within thirty days of changing his or her  
123 name and display his or her current driver's license or nondriver's license

124 containing a concealed carry endorsement. The endorsement holder shall apply  
125 for a new driver's license or nondriver's license containing his or her new name.  
126 Such application for a driver's license or nondriver's license shall be made  
127 pursuant to chapter 302. The director of revenue shall issue a driver's license or  
128 nondriver's license with concealed carry endorsement with the endorsement  
129 holder's new name if the applicant is otherwise eligible for such license. The  
130 director of revenue shall take custody of the old driver's license or nondriver's  
131 license. The name change shall be made by the department of revenue onto the  
132 individual's driving record and the new name shall be accessible by the Missouri  
133 uniform law enforcement system within three days of receipt of the information.

134 7. A concealed carry endorsement shall be automatically invalid after  
135 thirty days if the endorsement holder has changed his or her name or changed his  
136 or her residence and not notified the department of revenue and sheriff of a  
137 change of name or residence as required in subsections 4 and 6 of this section.]  
138

[571.107. 1. A concealed carry endorsement issued pursuant to sections  
2 571.101 to 571.121 or a concealed carry endorsement or permit issued by another  
3 state or political subdivision of another state shall authorize the person in whose  
4 name the permit or endorsement is issued to carry concealed firearms on or about  
5 his or her person or vehicle throughout the state. No driver's license or  
6 nondriver's license containing a concealed carry endorsement issued pursuant to  
7 sections 571.101 to 571.121 or a concealed carry endorsement or permit issued  
8 by another state or political subdivision of another state shall authorize any  
9 person to carry concealed firearms into:

10 (1) Any police, sheriff, or highway patrol office or station without the  
11 consent of the chief law enforcement officer in charge of that office or station.  
12 Possession of a firearm in a vehicle on the premises of the office or station shall  
13 not be a criminal offense so long as the firearm is not removed from the vehicle  
14 or brandished while the vehicle is on the premises;

15 (2) Within twenty-five feet of any polling place on any election day.  
16 Possession of a firearm in a vehicle on the premises of the polling place shall not  
17 be a criminal offense so long as the firearm is not removed from the vehicle or  
18 brandished while the vehicle is on the premises;

19 (3) The facility of any adult or juvenile detention or correctional  
20 institution, prison or jail. Possession of a firearm in a vehicle on the premises of  
21 any adult, juvenile detention, or correctional institution, prison or jail shall not  
22 be a criminal offense so long as the firearm is not removed from the vehicle or  
23 brandished while the vehicle is on the premises;

24 (4) Any courthouse solely occupied by the circuit, appellate or supreme  
25 court, or any courtrooms, administrative offices, libraries or other rooms of any  
26 such court whether or not such court solely occupies the building in question.  
27 This subdivision shall also include, but not be limited to, any juvenile, family,  
28 drug, or other court offices, any room or office wherein any of the courts or

29 offices listed in this subdivision are temporarily conducting any business within  
30 the jurisdiction of such courts or offices, and such other locations in such manner  
31 as may be specified by supreme court rule pursuant to subdivision (6) of this  
32 subsection. Nothing in this subdivision shall preclude those persons listed in  
33 subdivision (1) of subsection 2 of section 571.030 while within their jurisdiction  
34 and on duty, those persons listed in subdivisions (2), (4), and (10) of subsection  
35 2 of section 571.030, or such other persons who serve in a law enforcement  
36 capacity for a court as may be specified by supreme court rule pursuant to  
37 subdivision (6) of this subsection from carrying a concealed firearm within any  
38 of the areas described in this subdivision. Possession of a firearm in a vehicle on  
39 the premises of any of the areas listed in this subdivision shall not be a criminal  
40 offense so long as the firearm is not removed from the vehicle or brandished  
41 while the vehicle is on the premises;

42 (5) Any meeting of the governing body of a unit of local government; or  
43 any meeting of the general assembly or a committee of the general assembly,  
44 except that nothing in this subdivision shall preclude a member of the body  
45 holding a valid concealed carry endorsement from carrying a concealed firearm  
46 at a meeting of the body which he or she is a member. Possession of a firearm  
47 in a vehicle on the premises shall not be a criminal offense so long as the firearm  
48 is not removed from the vehicle or brandished while the vehicle is on the  
49 premises. Nothing in this subdivision shall preclude a member of the general  
50 assembly, a full-time employee of the general assembly employed under section  
51 17, article III, Constitution of Missouri, legislative employees of the general  
52 assembly as determined under section 21.155, or statewide elected officials and  
53 their employees, holding a valid concealed carry endorsement, from carrying a  
54 concealed firearm in the state capitol building or at a meeting whether of the full  
55 body of a house of the general assembly or a committee thereof, that is held in the  
56 state capitol building;

57 (6) The general assembly, supreme court, county or municipality may by  
58 rule, administrative regulation, or ordinance prohibit or limit the carrying of  
59 concealed firearms by endorsement holders in that portion of a building owned,  
60 leased or controlled by that unit of government. Any portion of a building in  
61 which the carrying of concealed firearms is prohibited or limited shall be clearly  
62 identified by signs posted at the entrance to the restricted area. The statute, rule  
63 or ordinance shall exempt any building used for public housing by private  
64 persons, highways or rest areas, firing ranges, and private dwellings owned,  
65 leased, or controlled by that unit of government from any restriction on the  
66 carrying or possession of a firearm. The statute, rule or ordinance shall not  
67 specify any criminal penalty for its violation but may specify that persons  
68 violating the statute, rule or ordinance may be denied entrance to the building,  
69 ordered to leave the building and if employees of the unit of government, be  
70 subjected to disciplinary measures for violation of the provisions of the statute,

71 rule or ordinance. The provisions of this subdivision shall not apply to any other  
72 unit of government;

73 (7) Any establishment licensed to dispense intoxicating liquor for  
74 consumption on the premises, which portion is primarily devoted to that purpose,  
75 without the consent of the owner or manager. The provisions of this subdivision  
76 shall not apply to the licensee of said establishment. The provisions of this  
77 subdivision shall not apply to any bona fide restaurant open to the general public  
78 having dining facilities for not less than fifty persons and that receives at least  
79 fifty-one percent of its gross annual income from the dining facilities by the sale  
80 of food. This subdivision does not prohibit the possession of a firearm in a  
81 vehicle on the premises of the establishment and shall not be a criminal offense  
82 so long as the firearm is not removed from the vehicle or brandished while the  
83 vehicle is on the premises. Nothing in this subdivision authorizes any individual  
84 who has been issued a concealed carry endorsement to possess any firearm while  
85 intoxicated;

86 (8) Any area of an airport to which access is controlled by the inspection  
87 of persons and property. Possession of a firearm in a vehicle on the premises of  
88 the airport shall not be a criminal offense so long as the firearm is not removed  
89 from the vehicle or brandished while the vehicle is on the premises;

90 (9) Any place where the carrying of a firearm is prohibited by federal  
91 law;

92 (10) Any higher education institution or elementary or secondary school  
93 facility without the consent of the governing body of the higher education  
94 institution or a school official or the district school board. Possession of a  
95 firearm in a vehicle on the premises of any higher education institution or  
96 elementary or secondary school facility shall not be a criminal offense so long as  
97 the firearm is not removed from the vehicle or brandished while the vehicle is on  
98 the premises;

99 (11) Any portion of a building used as a child care facility without the  
100 consent of the manager. Nothing in this subdivision shall prevent the operator  
101 of a child care facility in a family home from owning or possessing a firearm or  
102 a driver's license or nondriver's license containing a concealed carry endorsement;

103 (12) Any riverboat gambling operation accessible by the public without  
104 the consent of the owner or manager pursuant to rules promulgated by the gaming  
105 commission. Possession of a firearm in a vehicle on the premises of a riverboat  
106 gambling operation shall not be a criminal offense so long as the firearm is not  
107 removed from the vehicle or brandished while the vehicle is on the premises;

108 (13) Any gated area of an amusement park. Possession of a firearm in  
109 a vehicle on the premises of the amusement park shall not be a criminal offense  
110 so long as the firearm is not removed from the vehicle or brandished while the  
111 vehicle is on the premises;

112 (14) Any church or other place of religious worship without the consent  
113 of the minister or person or persons representing the religious organization that

exercises control over the place of religious worship. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(15) Any private property whose owner has posted the premises as being off-limits to concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum size of eleven inches by fourteen inches with the writing thereon in letters of not less than one inch. The owner, business or commercial lessee, manager of a private business enterprise, or any other organization, entity, or person may prohibit persons holding a concealed carry endorsement from carrying concealed firearms on the premises and may prohibit employees, not authorized by the employer, holding a concealed carry endorsement from carrying concealed firearms on the property of the employer. If the building or the premises are open to the public, the employer of the business enterprise shall post signs on or about the premises if carrying a concealed firearm is prohibited. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. An employer may prohibit employees or other persons holding a concealed carry endorsement from carrying a concealed firearm in vehicles owned by the employer;

(16) Any sports arena or stadium with a seating capacity of five thousand or more. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(17) Any hospital accessible by the public. Possession of a firearm in a vehicle on the premises of a hospital shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises.

2. Carrying of a concealed firearm in a location specified in subdivisions (1) to (17) of subsection 1 of this section by any individual who holds a concealed carry endorsement issued pursuant to sections 571.101 to 571.121 shall not be a criminal act but may subject the person to denial to the premises or removal from the premises. If such person refuses to leave the premises and a peace officer is summoned, such person may be issued a citation for an amount not to exceed one hundred dollars for the first offense. If a second citation for a similar violation occurs within a six-month period, such person shall be fined an amount not to exceed two hundred dollars and his or her endorsement to carry concealed firearms shall be suspended for a period of one year. If a third citation for a similar violation is issued within one year of the first citation, such person shall be fined an amount not to exceed five hundred dollars and shall have his or her concealed carry endorsement revoked and such person shall not be eligible for a concealed carry endorsement for a period of three years. Upon conviction of charges arising from a citation issued pursuant to this subsection, the court

shall notify the sheriff of the county which issued the certificate of qualification for a concealed carry endorsement and the department of revenue. The sheriff shall suspend or revoke the certificate of qualification for a concealed carry endorsement and the department of revenue shall issue a notice of such suspension or revocation of the concealed carry endorsement and take action to remove the concealed carry endorsement from the individual's driving record. The director of revenue shall notify the licensee that he or she must apply for a new license pursuant to chapter 302 which does not contain such endorsement. A concealed carry endorsement suspension pursuant to sections 571.101 to 571.121 shall be reinstated at the time of the renewal of his or her driver's license. The notice issued by the department of revenue shall be mailed to the last known address shown on the individual's driving record. The notice is deemed received three days after mailing.]

[571.111. 1. An applicant for a concealed carry endorsement shall demonstrate knowledge of firearms safety training. This requirement shall be fully satisfied if the applicant for a concealed carry endorsement:

(1) Submits a photocopy of a certificate of firearms safety training course completion, as defined in subsection 2 of this section, signed by a qualified firearms safety instructor as defined in subsection 5 of this section; or

(2) Submits a photocopy of a certificate that shows the applicant completed a firearms safety course given by or under the supervision of any state, county, municipal, or federal law enforcement agency; or

(3) Is a qualified firearms safety instructor as defined in subsection 5 of this section; or

(4) Submits proof that the applicant currently holds any type of valid peace officer license issued under the requirements of chapter 590; or

(5) Submits proof that the applicant is currently allowed to carry firearms in accordance with the certification requirements of section 217.710; or

(6) Submits proof that the applicant is currently certified as any class of corrections officer by the Missouri department of corrections and has passed at least one eight-hour firearms training course, approved by the director of the Missouri department of corrections under the authority granted to him or her by section 217.105, that includes instruction on the justifiable use of force as prescribed in chapter 563; or

(7) Submits a photocopy of a certificate of firearms safety training course completion that was issued on August 27, 2011, or earlier so long as the certificate met the requirements of subsection 2 of this section that were in effect on the date it was issued.

2. A certificate of firearms safety training course completion may be issued to any applicant by any qualified firearms safety instructor. On the certificate of course completion the qualified firearms safety instructor shall affirm that the individual receiving instruction has taken and passed a firearms

safety course of at least eight hours in length taught by the instructor that included:

(1) Handgun safety in the classroom, at home, on the firing range and while carrying the firearm;

(2) A physical demonstration performed by the applicant that demonstrated his or her ability to safely load and unload a revolver and a semiautomatic pistol and demonstrated his or her marksmanship with both;

(3) The basic principles of marksmanship;

(4) Care and cleaning of concealable firearms;

(5) Safe storage of firearms at home;

(6) The requirements of this state for obtaining a certificate of qualification for a concealed carry endorsement from the sheriff of the individual's county of residence and a concealed carry endorsement issued by the department of revenue;

(7) The laws relating to firearms as prescribed in this chapter;

(8) The laws relating to the justifiable use of force as prescribed in chapter 563;

(9) A live firing exercise of sufficient duration for each applicant to fire both a revolver and a semiautomatic pistol, from a standing position or its equivalent, a minimum of fifty rounds from each handgun at a distance of seven yards from a B-27 silhouette target or an equivalent target;

(10) A live fire test administered to the applicant while the instructor was present of twenty rounds from each handgun from a standing position or its equivalent at a distance from a B-27 silhouette target, or an equivalent target, of seven yards.

3. A qualified firearms safety instructor shall not give a grade of passing to an applicant for a concealed carry endorsement who:

(1) Does not follow the orders of the qualified firearms instructor or cognizant range officer; or

(2) Handles a firearm in a manner that, in the judgment of the qualified firearm safety instructor, poses a danger to the applicant or to others; or

(3) During the live fire testing portion of the course fails to hit the silhouette portion of the targets with at least fifteen rounds, with both handguns.

4. Qualified firearms safety instructors who provide firearms safety instruction to any person who applies for a concealed carry endorsement shall:

(1) Make the applicant's course records available upon request to the sheriff of the county in which the applicant resides;

(2) Maintain all course records on students for a period of no less than four years from course completion date; and

(3) Not have more than forty students in the classroom portion of the course or more than five students per range officer engaged in range firing.

5. A firearms safety instructor shall be considered to be a qualified firearms safety instructor by any sheriff issuing a certificate of qualification for

a concealed carry endorsement pursuant to sections 571.101 to 571.121 if the instructor:

(1) Is a valid firearms safety instructor certified by the National Rifle Association holding a rating as a personal protection instructor or pistol marksmanship instructor; or

(2) Submits a photocopy of a certificate from a firearms safety instructor's course offered by a local, state, or federal governmental agency; or

(3) Submits a photocopy of a certificate from a firearms safety instructor course approved by the department of public safety; or

(4) Has successfully completed a firearms safety instructor course given by or under the supervision of any state, county, municipal, or federal law enforcement agency; or

(5) Is a certified police officer firearms safety instructor.

6. Any firearms safety instructor who knowingly provides any sheriff with any false information concerning an applicant's performance on any portion of the required training and qualification shall be guilty of a class C misdemeanor.]

[571.114. 1. In any case when the sheriff refuses to issue a certificate of qualification or to act on an application for such certificate, the denied applicant shall have the right to appeal the denial within thirty days of receiving written notice of the denial. Such appeals shall be heard in small claims court as defined in section 482.300, and the provisions of sections 482.300, 482.310 and 482.335 shall apply to such appeals.

2. A denial of or refusal to act on an application for a certificate of qualification may be appealed by filing with the clerk of the small claims court a copy of the sheriff's written refusal and a form substantially similar to the appeal form provided in this section. Appeal forms shall be provided by the clerk of the small claims court free of charge to any person:

SMALL CLAIMS COURT

In the Circuit Court of ....., Missouri

....., Denied Applicant

)

)

vs. ) Case Number .....

)

)

....., Sheriff

Return Date .....

APPEAL OF A DENIAL OF CERTIFICATE OF QUALIFICATION FOR A CONCEALED CARRY ENDORSEMENT



The denied applicant states that his or her properly completed application for a certificate of qualification for a concealed carry endorsement was denied by the sheriff of ..... County, Missouri, without just cause. The denied applicant affirms that all of the statements in the application are true.

....., Denied Applicant

3. The notice of appeal in a denial of a certificate of qualification for a concealed carry endorsement appeal shall be made to the sheriff in a manner and form determined by the small claims court judge.

4. If at the hearing the person shows he or she is entitled to the requested certificate of qualification for a concealed carry endorsement, the court shall issue an appropriate order to cause the issuance of the certificate of qualification for a concealed carry endorsement. Costs shall not be assessed against the sheriff unless the action of the sheriff is determined by the judge to be arbitrary and capricious.

5. Any person aggrieved by any final judgment rendered by a small claims court in a denial of a certificate of qualification for a concealed carry endorsement appeal may have a right to trial de novo as provided in sections 512.180 to 512.320.]

[571.117. 1. Any person who has knowledge that another person, who was issued a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, never was or no longer is eligible for such endorsement under the criteria established in sections 571.101 to 571.121 may file a petition with the clerk of the small claims court to revoke that person's certificate of qualification for a concealed carry endorsement and such person's concealed carry endorsement. The petition shall be in a form substantially similar to the petition for revocation of concealed carry endorsement provided in this section. Appeal forms shall be provided by the clerk of the small claims court free of charge to any person:

SMALL CLAIMS COURT

In the Circuit Court of ....., Missouri

....., PLAINTIFF

)

)

vs. ) Case Number .....

)

....., DEFENDANT,

Carry Endorsement Holder

....., DEFENDANT,

Sheriff of Issuance PETITION FOR REVOCATION OF CERTIFICATE OF QUALIFICATION OR CONCEALED CARRY ENDORSEMENT

Plaintiff states to the court that the defendant, ....., has a certificate of qualification or a concealed carry endorsement issued pursuant to sections

571.101 to 571.121, RSMo, and that the defendant's certificate of qualification or concealed carry endorsement should now be revoked because the defendant either never was or no longer is eligible for such a certificate or endorsement pursuant to the provisions of sections 571.101 to 571.121, RSMo, specifically plaintiff states that defendant, ....., never was or no longer is eligible for such certificate or endorsement for one or more of the following reasons: (CHECK BELOW EACH REASON THAT APPLIES TO THIS DEFENDANT)

☐ Defendant is not at least twenty-one years of age or at least eighteen years of age and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces.

☐ Defendant is not a citizen of the United States.

☐ Defendant had not resided in this state prior to issuance of the permit and does not qualify as a military member or spouse of a military member stationed in Missouri.

☐ Defendant has pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun.

☐ Defendant has been convicted of, pled guilty to or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification or concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo, or if the applicant has been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a certificate of qualification or a concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo.

☐ Defendant is a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun.

☐ Defendant has been discharged under dishonorable conditions from the United States Armed Forces.

☐ Defendant is reasonably believed by the sheriff to be a danger to self or others based on previous, documented pattern.

☐ Defendant is adjudged mentally incompetent at the time of application or for five years prior to application, or has been committed to a mental health facility, as defined in section 632.005, RSMo, or a similar institution located in another state, except that a person whose release or discharge from a facility in

68 this state pursuant to chapter 632, RSMo, or a similar discharge from a facility  
69 in another state, occurred more than five years ago without subsequent  
70 recommitment may apply.

71 ☐ Defendant failed to submit a completed application for a certificate of  
72 qualification or concealed carry endorsement issued pursuant to sections 571.101  
73 to 571.121, RSMo.

74 ☐ Defendant failed to submit to or failed to clear the required background  
75 check.

76 ☐ Defendant failed to submit an affidavit attesting that the applicant  
77 complies with the concealed carry safety training requirement pursuant to  
78 subsection 1 of section 571.111, RSMo. The plaintiff subject to penalty for  
79 perjury states that the information contained in this petition is true and correct to  
80 the best of the plaintiff's knowledge, is reasonably based upon the petitioner's  
81 personal knowledge and is not primarily intended to harass the  
82 defendant/respondent named herein.

83 ....., PLAINTIFF

84 2. If at the hearing the plaintiff shows that the defendant was not eligible  
85 for the certificate of qualification or the concealed carry endorsement issued  
86 pursuant to sections 571.101 to 571.121 at the time of issuance or renewal or is  
87 no longer eligible for a certificate of qualification or the concealed carry  
88 endorsement issued pursuant to the provisions of sections 571.101 to 571.121,  
89 the court shall issue an appropriate order to cause the revocation of the certificate  
90 of qualification or concealed carry endorsement. Costs shall not be assessed  
91 against the sheriff.

92 3. The finder of fact, in any action brought against an endorsement holder  
93 pursuant to subsection 1 of this section, shall make findings of fact and the court  
94 shall make conclusions of law addressing the issues at dispute. If it is determined  
95 that the plaintiff in such an action acted without justification or with malice or  
96 primarily with an intent to harass the endorsement holder or that there was no  
97 reasonable basis to bring the action, the court shall order the plaintiff to pay the  
98 defendant/respondent all reasonable costs incurred in defending the action  
99 including, but not limited to, attorney's fees, deposition costs, and lost wages.  
100 Once the court determines that the plaintiff is liable to the defendant/respondent  
101 for costs and fees, the extent and type of fees and costs to be awarded should be  
102 liberally calculated in defendant/respondent's favor. Notwithstanding any other  
103 provision of law, reasonable attorney's fees shall be presumed to be at least one  
104 hundred fifty dollars per hour.

105 4. Any person aggrieved by any final judgment rendered by a small  
106 claims court in a petition for revocation of a certificate of qualification or  
107 concealed carry endorsement may have a right to trial de novo as provided in  
108 sections 512.180 to 512.320.

109 5. The office of the county sheriff or any employee or agent of the county  
110 sheriff shall not be liable for damages in any civil action arising from alleged

111 wrongful or improper granting, renewing, or failure to revoke a certificate of  
112 qualification or a concealed carry endorsement issued pursuant to sections  
113 571.101 to 571.121, so long as the sheriff acted in good faith.]  
114

[571.121. 1. Any person issued a concealed carry endorsement pursuant  
2 to sections 571.101 to 571.121 shall carry the concealed carry endorsement at all  
3 times the person is carrying a concealed firearm and shall display the concealed  
4 carry endorsement upon the request of any peace officer. Failure to comply with  
5 this subsection shall not be a criminal offense but the concealed carry  
6 endorsement holder may be issued a citation for an amount not to exceed  
7 thirty-five dollars.

8 2. Notwithstanding any other provisions of law, the director of revenue,  
9 by carrying out his or her requirement to issue a driver's or nondriver's license  
10 reflecting that a concealed carry permit has been granted, shall bear no liability  
11 and shall be immune from any claims for damages resulting from any  
12 determination made regarding the qualification of any person for such permit or  
13 for any actions stemming from the conduct of any person issued such a permit.  
14 By issuing the permit on the driver's or nondriver's license, the director of  
15 revenue is merely acting as a scrivener for any determination made by the sheriff  
16 that the person is qualified for the permit.]

✓